

accordance with Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) and its implementing regulation "Protection of Historic Properties" (36 CFR Part 800). Pursuant to 36 CFR 800.2(d)(3), RUS used its procedures for public involvement under NEPA, in part, to meet its responsibilities to solicit and consider the views of the public and other interested parties during the Section 106 review process. Accordingly, comments submitted in the EIS process also informed RUS's decision making in the Section 106 review process. The purpose of the Proposal is to provide a reliable, long-term supply of renewable and sustainable energy at a reasonable cost to meet part of the electric energy needs of Oglethorpe's members.

The Final EIS evaluated the potential environmental impacts of and alternatives to the Project proposed by Oglethorpe for RUS financing to construct the 100 megawatt (MW) biomass plant and related facilities (Proposal) in Warren County, Georgia.

ADDRESSES: To obtain copies of the ROD, or for further information, contact: Ms. Stephanie Strength, Environmental Protection Specialist, USDA, Rural Utilities Service, 1400 Independence Avenue SW., Stop 1571, Room 2244-S, Washington, DC 20250-1571, telephone: (970) 403-3559, fax: (202) 690-0649, or email: stephanie.strength@wdc.usda.gov. The ROD is available online at: <http://www.rurdev.usda.gov/UWP-OglethorpePower.html> and at the: Warren County Public Library, 10 Warren Street, Warrenton, Georgia 30828, Phone (706) 465-2656.

SUPPLEMENTARY INFORMATION: Oglethorpe proposes to own, operate, and maintain the Proposal in Warren County, Georgia. Three alternatives are evaluated in detail in the Final EIS; the no action alternative, and the proposed action at two different locations: Warren County (the Proposal) and Appling County (the Alternate). These alternatives were evaluated in terms of cost-effectiveness, technical feasibility, and environmental factors (e.g., soils, topography and geology, water resources, air quality, biological resources, the acoustic environment, recreation, cultural and historic resources, visual resources, transportation, farmland, land use, human health and safety, the socioeconomic environment, environmental justice, and cumulative effects).

The Proposal would be constructed on an approximately 343-acre site located three-fourths mile east of the

city limit of Warrenton, Georgia. The tallest structure would be the stack, with a maximum estimated height of approximately 220 feet.

A Notice of Availability (NOA) of the Draft EIS was published in the **Federal Register** at 76 FR 20624, on April 13, 2011, and in newspapers of general circulation within the Proposal's area of environmental impact. Public hearings on the Draft EIS were held in the project area on May 5, 2011, and public comments were accepted through May 31, 2011. All comments on the Draft EIS have been entered into the administrative record, responses are included in the Final EIS, and the Final EIS was modified as appropriate. RUS published its NOA of the Final EIS for the proposed Project in the **Federal Register** on December 15, 2011 at 76 FR 77963. The U.S. Environmental Protection Agency acknowledged receipt of the Final EIS on December 9, 2011, from RUS. The 30-day waiting period ended on January 9, 2012. Fifteen comments were received that did not result in the need for changes or further comment in RUS's ROD.

RUS carefully studied public health and safety, environmental impacts, and engineering aspects of the Project. Based on an evaluation of the information and impact analyses presented in the EIS, RUS finds that the evaluation of reasonable alternatives is consistent with NEPA and RUS Environmental Policies and Procedures. Details regarding RUS's regulatory authority, rationale for the decision, and compliance with applicable regulations are included in the ROD. Because the proposed Project may involve action in floodplains or wetlands, this Notice also serves as a final notice of action in floodplains and wetlands (in accordance with Executive Orders 11988 and 11990).

This ROD is not a decision on Oglethorpe's loan application and therefore not an approval of the expenditure of federal funds. This notice of the ROD concludes RUS's environmental review process in accordance with NEPA and RUS's Environmental Policies and Procedures (7 CFR part 1794). The ultimate decision as to loan approval depends upon the conclusion of this environmental review process plus financial and engineering analyses. Issuance of the ROD will allow these reviews to proceed.

Dated: March 15, 2013.

John Charles Padalino,
Acting Administrator, Rural Utilities Service.
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DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-904]

Certain Activated Carbon From the People's Republic of China: Preliminary Results of Antidumping Duty Administrative Review; 2011-2012

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: In response to requests from interested parties, the Department of Commerce ("Department") is conducting the administrative review of the antidumping duty order on certain activated carbon from the People's Republic of China ("PRC") for the period of review ("POR") April 1, 2011, through March 31, 2012. The Department has preliminarily determined that sales have been made below normal value ("NV"). Additionally, the Department has preliminarily determined not to revoke the order, in part, with respect to Jacobi Carbons AB ("Jacobi").

DATES: *Effective Date:* May 8, 2013.

FOR FURTHER INFORMATION CONTACT: Bob Palmer, Emeka Chukwudebe, and Ricardo Martinez Rivera, AD/CVD Operations, Office 9, Import Administration, International Trade Administration, Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 482-9068, (202) 482-0219, and (202) 482-4532, respectively.

SUPPLEMENTARY INFORMATION:

Scope of the Order

The merchandise subject to the order is certain activated carbon.¹ The products are currently classifiable under the Harmonized Tariff Schedule of the United States ("HTSUS") subheading 3802.10.00. Although the HTSUS subheading is provided for convenience and customs purposes, the written description of the scope of the order remains dispositive.²

¹ See "Decision Memorandum for the Preliminary Results of Antidumping Duty Administrative Review: Certain Activated Carbon from the People's Republic of China," ("Preliminary Decision Memorandum") from Christian Marsh, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, to Paul Piquado, Assistant Secretary for Import Administration, issued concurrently with this notice, for a complete description of the Scope of the Order.

² See *Notice of Antidumping Duty Order: Certain Activated Carbon from the People's Republic of China*, 72 FR 20988 (April 27, 2007) ("Order").

Methodology

The Department has conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended ("the Act"). Constructed export prices and export prices have been calculated in accordance with section 772 of the Act. Because the PRC is a non-market economy ("NME") within the meaning of section 771(18) of the Act, NV has been calculated in accordance with section 773(c) of the Act. Specifically, the mandatory respondent's factors of production ("FOPs") (with the exception of steam) have been valued with prices from a surrogate country which is economically comparable to the PRC and is a significant producer of comparable merchandise.

For a full description of the methodology underlying our conclusions, see the Preliminary Decision Memorandum dated concurrently with these results and hereby adopted by this notice. The Preliminary Decision Memorandum is a public document and is on file electronically via Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System ("IA ACCESS"). IA ACCESS is available to registered users at <http://iaaccess.trade.gov> and in the Central Records Unit ("CRU"), room 7046 of the main Department of Commerce building. In addition, a complete version of the Preliminary Decision Memorandum can be accessed directly on the internet at <http://www.trade.gov/ia/>. The signed Preliminary Decision Memorandum and the electronic versions of the Preliminary Decision Memorandum are identical in content.

Intent Not To Revoke Order In Part

We preliminarily determine³ that we should not revoke the *Order* in part with respect to Jacobi under section 751 of the Act, because we find that Jacobi has not satisfied the requirements of 19 CFR 351.222(b).⁴

Verification

As provided in sections 782(i)(3)(A)–(B) of the Act, we intend to verify the information upon which we will rely in

determining our final results of review with respect to Jacobi.

Preliminary Results of the Review

The Department has determined that the following preliminary dumping margins exist:

Exporter	Margin (Dollars Per Kilogram) ⁵
Jacobi Group ⁶	0.56
Ningxia Huahui Activated Carbon Co., Ltd	0.29
Calgon Carbon (Tianjin) Co., Ltd	0.43
Datong Juqiang Activated Carbon Co., Ltd	0.43
Datong Municipal Yunguang Activated Carbon Co., Ltd	0.43
Jilin Bright Future Chemicals Company, Ltd	0.43
Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd. ⁷ ..	0.43
Ningxia Mineral and Chemical Limited	0.43
Shanxi DMD Corporation	0.43
Shanxi Sincere Industrial Co., Ltd	0.43
Shanxi Industry Technology Trading Co., Ltd	0.43
Sinoacarbon International Trading Co., Ltd	0.43
Tancarb Activated Carbon Co., Ltd	0.43
Tangshan Solid Carbon Co., Ltd	0.43
Tianjin Maijin Industries Co., Ltd	0.43
PRC-Wide Rate ⁸	2.42

Disclosure and Public Comment

The Department intends to disclose calculations performed for these

⁵ In the second administrative review of this order, the Department determined that it would calculate per-unit assessment and cash deposit rates for all future reviews. See *Certain Activated Carbon From the People's Republic of China: Final Results and Partial Rescission of Second Antidumping Duty Administrative Review*, 75 FR 70208, 70211 (November 17, 2010).

⁶ In the third administrative review, the Department found Jacobi, Tianjin Jacobi International Trading Co. Ltd., and Jacobi Carbons Industry (Tianjin) (collectively, "Jacobi Group") are a single entity and, because there were no changes to the facts which supported that decision, we continued to find these companies part of a single entity in the fourth administrative review. Because there have been no changes to the facts which supported that decision in the present review, we will assign this rate to the companies in the single entity. See Preliminary Decision Memorandum, at 16, at "Affiliation and Collapsing"; see also *Certain Activated Carbon From the People's Republic of China: Final Results and Partial Rescission of Third Antidumping Duty Administrative Review*, 76 FR 67142 (October 31, 2011); *Certain Activated Carbon From the People's Republic of China: 2010–2011; Final Results of Antidumping Duty Administrative Review*, 77 FR 67337, 67339 at footnote 22 (November 9, 2012) ("AR4 Carbon").

⁷ In the first administrative review, the Department found Beijing Pacific Activated Carbon

preliminary results to the parties within five days of the date of publication of this notice in accordance with 19 CFR 351.224(b).

In accordance with 19 CFR 351.301(c)(3)(ii), for the final results of this administrative review, interested parties may submit publicly available information to value FOPs within 20 days after the date of publication of these preliminary results. Interested parties must provide the Department with supporting documentation for the publicly available information to value each FOP. Additionally, in accordance with 19 CFR 351.301(c)(1), for the final results of this administrative review, interested parties may submit factual information to rebut, clarify, or correct factual information submitted by an interested party less than ten days before, on, or after, the applicable deadline for submission of such factual information. However, the Department notes that 19 CFR 351.301(c)(1) permits new information only insofar as it rebuts, clarifies, or corrects information recently placed on the record. The Department generally cannot accept the submission of additional, previously absent from the record alternative surrogate value information pursuant to 19 CFR 351.301(c)(1).⁹ Additionally, for each piece of factual information submitted with surrogate value rebuttal comments, the interested party must provide a written explanation of what information is already on the record of the ongoing proceeding which the factual information is rebutting, clarifying, or correcting.

Because, as noted above, the Department intends to verify the

Products Co., Ltd., Ningxia Guanghua Cherishmet Activated Carbon Co., Ltd., and Ningxia Guanghua Activated Carbon Co., Ltd. are a single entity and, because there were no changes to the facts which supported that decision, we continued to find these companies to be part of a single entity in AR4 Carbon. Because there have been no changes to the facts which supported that decision in the present review, we will assign this rate to the companies in the single entity. See *Certain Activated Carbon From the People's Republic of China: Notice of Preliminary Results of the Antidumping Duty Administrative Review and Extension of Time Limits for the Final Results*, 74 FR 21317 (May 7, 2009), unchanged in *First Administrative Review of Certain Activated Carbon from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 74 FR 57995 (November 10, 2009); AR4 Carbon, 77 FR at 67339 at footnote 23.

⁸ The PRC-Wide entity includes Datong Locomotive Coal & Chemicals Co., Ltd., Ningxia Lingzhou Foreign Trade Co., Ltd. and Shanxi Qixian Foreign Trade Corporation.

⁹ See *Glycine From the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Rescission*, in Part, 72 FR 58809 (October 17, 2007), and accompanying Issues and Decision Memorandum at Comment 2.

³ See Preliminary Decision Memorandum, at 5.

⁴ The Department recently modified the section of its regulations concerning the revocation of antidumping and countervailing duty orders in whole or in part, but that modification does not apply to this administrative review as it was initiated before June 20, 2012. See *Modification to Regulation Concerning the Revocation of Antidumping and Countervailing Duty Orders*, 77 FR 29875 (May 21, 2012). Reference to 19 CFR 351.222(b) thus refers to the Department's regulations prior to the modification.

information upon which we will rely in making our final determination, the Department will establish the briefing schedule at a later time, and will notify parties of the schedule in accordance with 19 CFR 351.309. Parties who submit case briefs or rebuttal briefs in this proceeding are requested to submit with each argument: (1) A statement of the issue; (2) a brief summary of the argument; and (3) a table of authorities.¹⁰

Pursuant to 19 CFR 351.310(c), interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, within 30 days of the date of publication of this notice. Requests should contain: (1) The party's name, address and telephone number; (2) The number of participants; and (3) A list of issues to be discussed. Issues raised in the hearing will be limited to those raised in the respective case and rebuttal briefs.

Assessment Rates

Upon issuance of the final results, the Department will determine, and U.S. Customs and Border Protection ("CBP") shall assess, antidumping duties on all appropriate entries covered by this review.¹¹ The Department intends to issue assessment instructions to CBP 15 days after the publication date of the final results of this review. For any individually examined respondent whose weighted average dumping margin is above *de minimis* (i.e., is 0.50 percent or more) in the final results of this review, the Department will calculate importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for the importer's examined sales and the total entered value of sales, in accordance with 19 CFR 351.212(b)(1).¹² We will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the importer-specific assessment rate calculated in the final results of this review is above *de minimis*. Where either the respondent's weighted-average dumping margin is zero or *de minimis*, or an importer-specific assessment rate is zero or *de minimis*, we will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

For those companies not assigned a separate rate from a prior segment of the proceeding, the Department has stated that they are not separate from the PRC-wide entity and that the administrative review will continue for these companies.¹³

The Department recently announced a refinement to its assessment practice in NME cases. Pursuant to this refinement in practice, for entries that were not reported in the U.S. sales databases submitted by companies individually examined during this review, the Department will instruct CBP to liquidate such entries at the PRC-wide rate. Additionally, if the Department determines that an exporter had no shipments of the subject merchandise, any suspended entries that entered under that exporter's case number (i.e., at that exporter's rate) will be liquidated at the PRC-wide rate.¹⁴

The final results of this review shall be the basis for the assessment of antidumping duties on entries of merchandise covered by the final results of this review and for future deposits of estimated duties, where applicable.

Cash Deposit Requirements

The following cash deposit requirements will be effective upon publication of the final results of this administrative review for shipments of the subject merchandise from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by sections 751(a)(2)(C) of the Act: (1) For each specific company listed above, the cash deposit rate will be that established in the final results of this review (except, if the rate is zero or *de minimis*, then zero cash deposit will be required); (2) for previously investigated or reviewed PRC and non-PRC exporters not listed above that received a separate rate in a prior segment of this proceeding, the cash deposit rate will continue to be the existing exporter-specific rate; (3) for all PRC exporters of subject merchandise that have not been found to be entitled to a separate rate, the cash deposit rate will be that for the PRC-wide entity; and (4) for all non-PRC exporters of subject merchandise which have not received their own rate, the cash deposit rate will be the rate applicable to the PRC exporter that supplied that non-PRC exporter. These cash deposit requirements, when imposed, shall remain in effect until further notice.

Notification to Importers

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Department's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This determination is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(4).

Dated: May 2, 2013.

Paul Piquado,

Assistant Secretary for Import Administration.

Appendix—List of Topics Discussed in the Preliminary Decision Memorandum

1. Respondent Selection
2. Questionnaires
3. Scope of the Order
4. Request for Revocation, In Part
5. Withdrawal of Request for Review
6. Non-Market Economy Country
7. Separate Rates
8. Separate Rate Calculation
9. PRC—Wide Entity
10. Surrogate Country and Surrogate Value Data
11. Surrogate Country
12. Economic Comparability
13. Significant Producers of Comparable Merchandise
14. Data Availability
15. Affiliations and Collapsing
16. Facts Available for NV
17. Date of Sale
18. Comparisons to Normal Value
19. U.S. Price
20. Normal Value
21. Use of Facts Available and Adverse Facts Available for EP/CEP
22. Currency Conversion

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DEPARTMENT OF COMMERCE

International Trade Administration

Advisory Committee on Supply Chain Competitiveness: Notice of Public Meeting

AGENCY: International Trade Administration, U.S. Department of Commerce.

ACTION: Notice of open meeting.

SUMMARY: This notice sets forth the schedule and proposed topics of discussion for a public meeting of the

¹⁰ See 19 CFR 351.309(c) and (d).

¹¹ See 19 CFR 351.212(b).

¹² In these preliminary results, the Department applied the assessment rate calculation method adopted in *Antidumping Proceedings: Calculation of the Weighted-Average Dumping Margin and Assessment Rate in Certain Antidumping Proceedings: Final Modification*, 77 FR 8101 (February 14, 2012).

¹³ See footnote 6.

¹⁴ For a full discussion of this practice, see *Non-Market Economy Antidumping Proceedings: Assessment of Antidumping Duties*, 76 FR 65694 (October 24, 2011).